

ASSEMBLY BILL

No. 595

Introduced by Assembly Member Dymally

February 21, 2007

An act to amend Section 111765 of the Health and Safety Code, relating to cosmetics.

LEGISLATIVE COUNSEL'S DIGEST

AB 595, as introduced, Dymally. Cosmetics: misbranding.

The existing Sherman Food, Drug, and Cosmetic Law regulates the packaging, labeling, and advertising of food, drugs, and cosmetics. The law prohibits a person from manufacturing, selling, delivering, holding, offering for sale, or receiving in commerce any cosmetic that is adulterated, and prohibits a person from adulterating any cosmetic. The law also prohibits a person from manufacturing or selling any cosmetic that is misbranded, as prescribed. A violation of that law is punishable as a misdemeanor.

This bill would also prohibit a person from offering for sale any cosmetic that is misbranded.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 111765 of the Health and Safety Code
2 is amended to read:
3 111765. It is unlawful for any person to manufacture, *offer for*
4 *sale*, or sell any cosmetic that is misbranded.
5 SEC. 2. No reimbursement is required by this act pursuant to
6 Section 6 of Article XIII B of the California Constitution because
7 the only costs that may be incurred by a local agency or school
8 district will be incurred because this act creates a new crime or
9 infraction, eliminates a crime or infraction, or changes the penalty
10 for a crime or infraction, within the meaning of Section 17556 of
11 the Government Code, or changes the definition of a crime within
12 the meaning of Section 6 of Article XIII B of the California
13 Constitution.

O